

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TELE-GUIA TALKING YELLOW PAGES, INC.,

Plaintiff,

v.

CABLEVISION SYSTEMS CORPORATION,

Defendant.

**07-cv-3948-DLC**

**Jury Trial Demanded**

**ECF Case**

**DECLARATION OF BENJAMIN HERSHKOWITZ IN FURTHER SUPPORT OF  
CABLEVISION SYSTEMS CORPORATION'S MOTION TO DISMISS**

I, Benjamin Hershkowitz, declare as follows:

1. I am a partner at Goodwin Procter LLP, 599 Lexington Avenue, New York, New York 10022, and represent Cablevision Systems Corporation in this Action. I submit this Declaration in further support of *Cablevision Systems Corporation's Motion to Dismiss*.

2. Attached hereto as Exhibit I is a true and correct copy of an excerpt from the 2007 American Intellectual Property Law Association Economic Survey.

3. Attached hereto as Exhibit J is a true and correct copy of a Courtlink litigation search for litigations involving United States Patent No. 5,479,491.

4. Attached hereto as Exhibit K is a true and correct copy of a Courtlink litigation search for litigations involving United States Patent No. 5,187,735.

SIGNED UNDER THE PENALTIES OF PERJURY THIS 21ST DAY OF  
SEPTEMBER, 2007.

/s/ Benjamin Hershkowitz  
Benjamin Hershkowitz (BH 7256)  
GOODWIN PROCTER LLP  
599 Lexington Avenue  
New York, NY 10022  
(212) 813-8800 (tel.)  
(212) 355-3333 (fax)  
bhershkowitz@goodwinprocter.com